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October 22, 2010

Hon. Susan D. Wigenton, U.S.D.J.
U.S. District Court for the District of New Jersey
Martin Luther King, Jr. Federal Building and Courthouse
50 Walnut Street, Room 5060
Newark, New Jersey 07101-0999

Re: *The Hershey Company et al. v. Promotion in Motion, Inc.*
Civil Action No. 07-cv-1601

Dear Judge Wigenton:

We are counsel to plaintiffs The Hershey Company and Hershey Chocolate & Confectionery Corporation (collectively "Hershey") in the above-entitled action.

We write to request that Your Honor unseal the October 4, 2010 Opinion ("Opinion") (Doc. 119) entered in this case in resolving Hershey's two motions for partial summary judgment.

We have carefully reviewed the Opinion and have not identified any confidential information of PIM, Hershey or any third party in it. Our analysis also indicates that the Opinion only refers to information that appears in unredacted form in at least some of the parties' partial summary judgment submissions. In short, we do not believe that the opinion contains any confidential information of Hershey, PIM or any third party.

We have spoken to counsel for the defendant Promotion in Motion ("PIM"), who has authorized us to advise the Court that PIM does not object to this request.

Accordingly, we respectfully request that the Court enter an order unsealing the opinion, on the grounds that it does not contain any confidential information, so that it is publicly available on the Court's docket.

MEI 10762851v.1

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KAYE SCHOLER LLP

Honorable Susan D. Wigenton

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Respectfully,

Thomas A. Smart / sk

Thomas A. Smart
Counsel for Hershey

cc: Richard Mandel, Esq.

So Ordered
this *29th* day of *Oct* 2010
[Signature]
Susan D. Wigenton, U.S.D.J.

*Motion, Order and Opinion are
hereby unsealed.*